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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of San Diego Gas & Electric Company (U 902 E) for a Certificate of Public Convenience and Necessity for the Sunrise Powerlink Transmission Project.

Application 05-12-014
(Filed December 14, 2005)

**ASSIGNED COMMISSIONER'S RULING REGARDING
CASE MANAGEMENT AND INTERVENOR COMPENSATION**

A ruling dated April 7, 2006 resolved several outstanding procedural matters in this proceeding and stated San Diego Gas & Electric Company's (SDG&E) intent to file an amended application for the Sunrise Powerlink Transmission Project by July 31, 2006. In the interim, I am issuing this ruling to guide the parties' planning for participation in this case after SDG&E files the amended application. It is incumbent on the Assigned Commissioner and the Administrative Law Judge to promote the efficient and fair conduct of what promises to be a complex proceeding. In the interests of case management, this ruling requires parties who intend to actively participate in the Commission's formal evidentiary proceeding to confer and cooperate with other parties who are likely to take the same or a similar position in this case. The parties shall confer with the objective of organizing their participation in this proceeding in a way that minimizes duplication of effort, analysis and information.

Following their meeting, the parties shall clarify in writing their planned participation and distinguish their participation from the work of other intervenors or of SDG&E. They should also, if possible, explain how they will work cooperatively to manage their participation to promote an efficient use of

their resources and those of other parties. The parties may file joint or individual documents. In the case of intervenors who seek compensation in this case, the document or documents providing this additional information should be filed as amendments to the original Notice of Intent to Seek Intervenor Compensation (NOI) filed in this proceeding. These documents shall be filed no later than September 6, 2006 for discussion at the September 13, 2006 prehearing conference. I will modify these dates if SDG&E does not augment its application by August 5, 2006 with a Proponent's Environmental Assessment and other required information.

This ruling also provides additional guidance to intervenors who seek compensation in this proceeding and thereby supplements a March 16, 2006 ALJ ruling that addressed the NOIs filed in this docket by the Sierra Club, Center for Biological Diversity, Utility Consumers Action Network (UCAN), Community Alliance for Sensible Energy, Ramona Alliance Against Sunrise Powerlink and Rancho Pensaquitos Concerned Citizens. The ALJ's ruling found these intervenors eligible to claim compensation at an estimated combined cost of about \$1.8 million. It also briefly addressed the possibility that the parties may duplicate efforts, finding that, with the exception of UCAN, all stated an intent to address issues relating to the environment, public health and community values.

The Commission has for many years encouraged participation in its proceedings by members of the public. In this particular application, the Commission's decision may affect local communities that may otherwise be under-represented and may also benefit from a range of testimony by experts on the issues presented. On the other hand, as the March 16 ruling suggests, duplicative participation by a party is not eligible for compensation if that participation does not materially supplement the presentations of other parties.

In addition, compensation is awarded only for participation within the scope of the proceeding and for the costs of preparation for, and participation in, the Commission's proceeding. The Commission is guided primarily by Public Utilities Code Section 1802.5, which provides that:

Participation by a customer [i.e., an intervenor] that materially supplements, complements, or contributes to the presentation of another party, including the commission staff, may be fully eligible for compensation if the participation makes a substantial contribution to a commission order or decision, consistent with Section 1801.3.

The March ruling properly provided notice that "each intervenor will have the burden to demonstrate the reasonableness of the costs it may ultimately claim for compensation and to demonstrate that its efforts were not duplicative of the work of other parties. Each intervenor is responsible to understand the types of activities that are eligible for compensation and other policies regarding intervenor compensation, and to coordinate with other parties to minimize duplication of effort."

IT IS RULED that the parties are directed to meet and confer with other parties that are likely to take a similar position in this case. No later than September 6, 2006, these parties shall file a report explaining the planned participation of each as distinguished from that of other parties and how they will coordinate their efforts so as to promote an efficient process. In the case of

parties who seek intervenor compensation the report shall be in the form of an amended Notice of Intent to Seek Compensation.

Dated July 5, 2006, at San Francisco, California.

/s/ DIAN M. GRUENEICH

Dian Grueneich

Commissioner

INFORMATION REGARDING SERVICE

I have provided notification of filing to the electronic mail addresses on the attached service list.

Upon confirmation of this document's acceptance for filing, I will cause a copy of the filed document to be served upon the service list to this proceeding by U.S. mail. The service list I will use to serve the copy of the filed document is current as of today's date.

Dated July 5, 2006, at San Francisco, California.

/s/ ELIZABETH LEWIS
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